MAR 3 0 1998 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
)
John C. Harvey and James W. Cuddihy)   Examiner: Vu, H.
)
Serial No.   08/446,431)   Group Art Unit: 2733
)
Filed: May 22, 1995)   Atty Dkt.   5634.0150
)
For: SIGNAL PROCESSING APPARATUS)
     AND METHODS)
)

Submission Under 37 C.F.R. § 1.129(a)

<u>BOX: AFTER FINAL</u>

Assistant Commissioner of Patents
   and Trademarks
Washington, D.C. 20231

Sir:

    Applicants request that the finality of the final rejection dated December 23, 1997

be withdrawn in view of this timely filed first submission under 37 C.F.R. § 1.129(a).

Our Check No. 156428 is enclosed for payment of the fee set forth in 37 C.F.R. § 1.17(r).

The present application has an effective pendency of at least two years as of June 8,

1995, taking into account any reference of record to any earlier filed application under

35 U.S.C. § 120, 121 and 365(c). This petition and the fee set forth in § 1.17(r) are being

filed prior to the filing of an appeal brief and prior to abandonment of the application.

Applicants therefore respectfully request that the amendment and request for

reconsideration filed on February 23, 1998 be entered.

    Applicants respectfully request a one (1) month extension of time in which to

respond to the Final Office Action mailed December 23, 1997, for which a response

period expiring on March 23, 1998 was set. The extended period expires on April 23,

1998. However, if additional extensions of time are necessary to prevent abandonment

of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §

1.136(a), and any fees required therefore are hereby authorized to be charged to our

Deposit Account No. 08-3038.

Respectfully submitted,

Thomas J. Scott, Jr.

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Attorney for Applicants

Date: March 30, 1998
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